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SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY
NOTIFICATION

The 10th December, 2015

No.12702/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 9th December, 2015 is herewith published under rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information

**THE ODISHA INDUSTRIES SERVICE (VALIDATION OF
APPOINTMENT OF ASSISTANT MANAGERS AND
ASSISTANT DIRECTORS) BILL, 2015**

A

BILL

TO VALIDATE THE ADHOC APPOINTMENT OF CERTAIN
ASSISTANT MANAGERS AND ASSISTANT DIRECTORS OF
INDUSTRIES MADE TO THE ODISHA INDUSTRIES SERVICE.

BE it enacted by the Legislature of the State of Odisha in the
Sixty-sixth Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Odisha Industries Service
(Validation of Appointment of Assistant Managers and Assistant
Directors) Bill, 2015.

Definitions. 2. In this Act, unless the context otherwise requires, —

(a) “Assistant Manager and Assistant Director” means the
Assistant Managers and Assistant Directors of Industries
appointed to the Odisha Industries Services;

- (b) "Recruitment rules" means the Odisha Industries Service Rules, 1985;
- (c) "Service" means the Odisha Industries Service; and
- (d) "Year" means the Calendar Year.

Validation.

3. (1) Notwithstanding anything contained in the Recruitment rules, eight Assistant Managers and Assistant Directors of Industries as specified in the Schedule with their names, dates of birth and dates of appointment, who were appointed to the service on adhoc basis by the State Government and are continuing as such, shall, for all intents and purposes, be deemed to have been validly and regularly appointed to the services as Assistant Manager and Assistant Director with effect from the date of commencement of this Act and accordingly, no such appointment shall be challenged in any court of law merely on the ground that such appointments were made otherwise than the procedure laid down in the Recruitment rules.

(2) The *inter-se-seniority* of the adhoc Assistant Managers and Assistant Directors of Industries whose appointments are so validated under sub-section (1) shall be determined on the basis of their dates of appointments on adhoc basis and in order of precedence as shown in the Schedule and they shall be enblock junior to the Assistant Managers and Assistant Directors of Industries appointed in that year in accordance with the provisions of the Recruitment rules.

(3) The services rendered by such Assistant Manager and Assistant Director of Industries whose appointments are so validates, prior to the commencement of this Act, subject to the provisions in sub-section (2), shall count for the purpose of their pension, leave and increment and for no other purpose.

SCHEDULE

Sl. No	Names of the Assistant Manager and Assistant Director of Industries	Date of Birth	Date of adhoc
(1)	(2)	(3)	(4)
1.	Sri Subhasis Pattanaik	24.01.1966	30.12.1998
2.	Sri Kankan Ghose	27.06.1965	30.12.1998
3.	Sri Chidananda Mishra	09.05.1967	30.12.1998
4.	Sri Bishnu Prasad Dash	25.02.1966	30.12.1998
5.	Sri Pitambar Parida (SC)	25.05.1963	30.12.1998
6.	Sri Sisir Kanta Rath	02.05.1965	30.12.1998
7.	Sri Tarun Kumar Mohanty	22.02.1966	30.12.1998
8.	Sri Gopabandhu Pradhan	20.11.1956	30.12.1998

STATEMENT OF OBJECTS AND REASONS

Since the year 1998 onwards, 8 numbers of Assistant Manager/Assistant Directors have been appointed on different dates on adhoc basis for smooth working in MSME Department. All these adhoc Assistant Managers/ Assistant Directors have crossed their age limit for appointment through the Odisha Public Service Commission as per the provisions of the Odisha Industries Services Rule 1985. The Government have utilized their valuable services on adhoc basis for long i.e. from 1998 onwards. It is necessary to utilize their service by way of regularize the services through a special legislation.

It would also be discriminatory as the services of some of such engineers similarly placed have already been validated through enactment of the Odisha Service Engineers (validation of appointment) Act, 2002 (O.A No. 9 of 2003).

Keeping in view their long services in this department and the difficulties they will face in case their services are not regularized, it is considered necessary to validate their appointment by way of legislation.

The Bill seeks to achieve the above objectives.

JOGENDRA BEHERA

Member-In-Charge

A.K. SARANGI

Secretary

Odisha Legislative Assembly